UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
---x
SAL F. ALBANESE, CURTIS SLIWA, and
FRANK MORANO,

                Plaintiffs,

         -against-   **ORDER**
                                           17 CV 6254 (RJD)

NEW YORK CITY CAMPAIGN FINANCE BOARD,
THE CITY OF NEW YORK, and THE CITY
UNIVERSITY OF NEW YORK GRADUATE CENTER,

                Defendants.
---x

DEARIE, District Judge

      Before the Court is a motion by plaintiffs, Sal F. Albanese, Curtis Sliwa, and

Frank Morano, for a temporary restraining order preventing defendants, New York City

Campaign Finance Board ("CFB"), the City of New York, and the City University of New York

Graduate Center, from administering and hosting the New York City Mayoral Debate (the

"Debate") on Wednesday, November 1, 2017, unless plaintiff, New York State Reform Party

Candidate, Sal F. Albanese, is permitted to participate in that debate. For the reasons stated

below and in the memorandum of opinion to follow, the Court denies the relief requested.

      The standards for injunctive relief are well established and do not require repetition at

this time. See Fed. R. Civ. P. 65; see also County of Nassau, N.Y. v. Leavitt, 524 F.3d 408, 414

(2d Cir. 2008). The evidence before the court does not warrant the relief requested.[1] While the

Court understands plaintiffs' obvious displeasure with the use of certain financial criteria for

---

[1] Indeed, neither side presented any testimony at the hearing. Defendants move to dismiss pursuant to Fed. R. Civ. P. 12(b)(6).

debate eligibility, it finds no evidence to suggest that the challenged CFB Rules are partisan, subjective, or discriminatory, see N.Y.C. Admin. Code § 3-709.5(5), or that they infringe upon plaintiffs' constitutional rights. The court understands the genuine public interest in limiting debates to candidates perceived as viable and acknowledges that financial criteria may be a logical measure of a candidate's strength.

        Plaintiffs' applications for injunctive relief is denied.

SO ORDERED.

Dated: Brooklyn, New York
       October 31, 2017

Raymond J. Dearie
RAYMOND J. DEARIE
United States District Judge